

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ARKADY YAKUBOVA	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 06-4184
ALBERTO GONZALEZ,		
ATTORNEY GENERAL, et al.		

ORDER

AND NOW, this 22<sup>nd</sup> day of November, 2006, upon careful and independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of Thomas J. Rueter, United States Magistrate Judge, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED; and
2. The petition for a writ of habeas corpus is TRANSFERRED to the United States District Court for the Middle District of Pennsylvania; and
3. The Petitioner's Objections are overruled.<sup>1</sup>

BY THE COURT:

/s/ Thomas M. Golden  
THOMAS M. GOLDEN  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> The Court considered Petitioner's Objections to the Magistrate Judge's Report carefully, mindful of its duty to construe *pro se* pleadings liberally. The Magistrate Judge grounded his recommendation for a transfer to the Middle District of Pennsylvania in the fact that the petitioner, his custodian, and his records are all located in York County. Report and Recommendation 4 (Nov. 8, 2006). The Petitioner's Objections confirm that the bulk of his confinement and his relevant immigration proceedings took place in York County. Pet'r Objections 2 (Nov. 17, 2006). The Court's order today will not transfer the case out of Pennsylvania or deny the Petitioner an opportunity to be heard; it will only transfer the case to the proper venue within Pennsylvania, which is the "district of confinement." *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004).